

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**June 29, 1998**

- F025041      People v. McMains**  
The judgment is affirmed. Buckley, J.  
We concur: Stone (W.A.), Acting P.J.; Thaxter, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F030786      Sherry R. v. Superior Court, Kern Co.; Kern Co. Dept. Human Svcs, et al.**  
Pursuant to this court's order filed on June 11, 1998, the oral argument set for July 2, 1998 is vacated and the case is submitted for decision.
- F030652      Maria R. v. Superior Court, Kern Co.; Kern Co. Dept. Human Svcs**  
Pursuant to this court's order filed June 12, 1998, the oral argument date set for July 2, 1998 is vacated and the case is submitted for decision.
- F027660      Desmond v. Clark et al.**  
The judgment as to the court's granting of a nonsuit on the two allegations of violations of the Corporate Securities Law specified in parts I(B) and I(C) of the opinion is reversed. The judgment as to the granting of the nonsuit on all other allegations of violations of the Corporate Securities Law, and the judgment in favor of all cross-defendants on appellant's first (conspiracy), second (fraud) and sixth (constructive fraud) cause of action is affirmed. Both sides to bear their own costs. Ardaiz, P.J.  
We concur: Stone (W.A.), J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F026156      Silva v. Lucky Stores, Inc., et al.**  
The judgment is affirmed. Thaxter, J.  
We concur: Stone (W.A.), Acting P.J.; Dibiaso, J.  
[CERTIFIED FOR PUBLICATION]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**June 29, 1998**

**F028414      People v. Runyan**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F026785      Curty v. Industrial Indemnity Insurance Company**

The judgment is affirmed. Stone (W.A.), Acting P.J.

We concur: Dibiaso, J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]